



Docket No.: 215377US6

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313



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RE: Application Serial No.: 09/986,280
Applicants: Jean-Baptiste ARILLA et al.
Filing Date: November 8, 2001
For: STATOR RING VENTILATION ASSEMBLY
Group Art Unit: 3743
Examiner: CIRIC, L. V.

SIR:

Attached hereto for filing are the following papers:

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PROVISIONAL ELECTION OF SPECIES

Our check in the amount of -0- is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



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DOCKET NO: 215377US6

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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
JEAN-BAPTISTE ARILLA ET AL. : EXAMINER: CIRIC, L. V.
SERIAL NO: 09/986,280 :
FILED: NOVEMBER 8, 2001 : GROUP ART UNIT: 3743
FOR: STATOR RING VENTILATION :
ASSEMBLY

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SIR:

In response to the Election of Species Requirement mailed July 14, 2003, Applicants provisionally elect, with traverse, the second species, Figure 5, for examination on the merits in the present application. All of the Claims 1-7 are identified as readable on the second species. Currently Claim 1 is generic.

Applicants respectfully traverse the Election of Species Requirement because the PTO has not carried forward its burden of proof to establish that searching and examining the claims corresponding to the noted figures would be an undue burden.

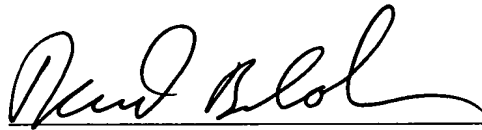
In particular, MPEP § 803 states:

If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.

Accordingly, Applicants respectfully traverse the outstanding Election Requirement on the grounds that a search and examination of the entire application would not place a serious burden on the Examiner.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
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